

**Introduced by Senators Emmerson, Anderson, Beall, Liu, and  
Pavley**

January 28, 2013

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An act to amend Section 4629.5 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 137, as introduced, Emmerson. Developmental services: regional centers.

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is authorized to contract with regional centers to provide support and services to individuals with developmental disabilities. Existing law requires a regional center to include specified information on its Internet Web site for the purpose of promoting transparency and access to public information that includes specified information.

This bill would require that information to include specified information about payments to vendors and to nonprofit housing organizations.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 4629.5 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 4629.5. (a) In addition to the requirements set forth in Section
- 4 4629, the department's contract with a regional center shall require
- 5 the regional center to adopt, maintain, and post on its Internet Web

1 site a board-approved policy regarding transparency and access to  
2 public information. The transparency and public information policy  
3 shall provide for timely public access to information, including,  
4 but not limited to, information regarding requests for proposals  
5 and contract awards, service provider rates, documentation related  
6 to establishment of negotiated rates, audits, and IRS Form 990.  
7 The transparency and public information policy shall be in  
8 compliance with applicable law relating to the confidentiality of  
9 consumer service information and records, including, but not  
10 limited to, Section 4514.

11 (b) To promote transparency, each regional center shall include  
12 on its Internet Web site, as expeditiously as possible, at least all  
13 of the following:

14 (1) Regional center annual independent audits.

15 (2) Biannual fiscal audits conducted by the department.

16 (3) Regional center annual reports pursuant to Section 4639.5.

17 (4) Contract awards, including the organization or entity  
18 awarded the contract, and the amount and purpose of the award.

19 *(5) The actual rates paid to each vendor, updated annually,*  
20 *except vendors who are consumers or family members of*  
21 *consumers.*

22 *(6) Any regional center purchase of services from, or operations*  
23 *funds provided to, a nonprofit housing organization outside the*  
24 *request for proposals process.*

25 ~~(5)~~

26 (7) Purchase of service policies.

27 ~~(6)~~

28 (8) The names, types of service, and *business* contact  
29 information of all vendors, except *vendors who are* consumers or  
30 family members of consumers.

31 ~~(7)~~

32 (9) Board meeting agendas and approved minutes of open  
33 meetings of the board and all committees of the board.

34 ~~(8)~~

35 (10) Bylaws of the regional center governing board.

36 ~~(9)~~

37 (11) The annual performance contract and ~~year-end~~ *yearend*  
38 performance contract entered into with the department pursuant  
39 to this division.

40 ~~(10)~~

1 (12) The biannual Home and Community-based Services  
2 Waiver program ~~review~~ *reviews* conducted by the department and  
3 the State Department of Health Care Services.

4 ~~(11)~~

5 (13) The board-approved transparency and public information  
6 policy.

7 ~~(12)~~

8 (14) The board-approved conflict-of-interest policy.

9 ~~(13)~~

10 (15) Reports required pursuant to Section 4639.5.

11 (c) The department shall establish and maintain a transparency  
12 portal on its Internet Web site that allows consumers, families,  
13 advocates, and others to access provider and regional center  
14 information. Posted information on the department's Internet Web  
15 site transparency portal shall include, but need not be limited to,  
16 all of the following:

17 (1) A link to each regional center's Internet Web site information  
18 referenced in subdivision (b).

19 (2) Biannual fiscal audits conducted by the department.

20 (3) Vendor audits.

21 (4) Biannual Home and Community-based Services Waiver  
22 program reviews conducted by the department and the State  
23 Department of Health Care Services.

24 (5) Biannual targeted case management program and federal  
25 nursing home reform program reviews conducted by the  
26 department.

27 (6) Early Start ~~Program~~ *program* reviews conducted by the  
28 department.

29 (7) Annual performance contract and ~~year-end~~ *yearend*  
30 performance contract reports.